

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re: Sharon E. Davis

**Motion and Notice
Chapter 13**

No: B-09-80262 C-13D

Debtor(s)

The undersigned Standing Trustee respectfully moves the Court for an order as follows:

On May 26, 2009, the Debtor's plan was confirmed. The Confirmation Order provided that the claim of SunTrust Bank secured by the Debtor's 1992 Oakwood mobile home ("the mobile home") would be allowed as a fully secured claim payable with interest at the rate of 5.25% per annum when said claim was timely and properly filed. On November 4, 2009, SunTrust Bank filed a claim in the amount of \$7,029.26; however, no documentation was attached to the claim showing a properly perfected security interest in the mobile home. Accordingly, the claim of SunTrust Bank is an unsecured claim that was untimely filed pursuant to 11 U.S.C. §502(b)(9) and Rule 3002 of the Federal Rules of Bankruptcy Procedure.

The Standing Trustee respectfully recommends to the Court that an Order be entered disallowing the claim of SunTrust Bank as untimely filed.

Date: July 28, 2011
ej

s/Richard M. Hutson, II
Standing Trustee

NOTICE

TAKE NOTICE THAT any interested party who has an objection to the Motion MUST FILE A WRITTEN OBJECTION on or before September 6, 2011, with the parties named on the attached Parties To Be Served list and with the U.S. Bankruptcy Court at the following address:

*101 S. Edgeworth Street
Greensboro, NC 27401*

If no objections are filed within the time period, the Court will consider this motion without a hearing. If objections are timely filed, a hearing on the motion will be held on September 13, 2011, at 11:00 a.m., in the following location:

*Courtroom, Venable Center
Dibrell Building – Suite 280
302 East Pettigrew Street
Durham, NC 27701*

Date: July 28, 2011

OFFICE OF THE CLERK
U.S. Bankruptcy Court

PARTIES TO BE SERVED

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